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DEC 19 2008

In re Application of :
Thomas Brandenborg :
Application No. 10/735,713 :
Filed: December 16, 2003 :
Attorney Docket No. 45900-000449/US/DVA :

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed November 4, 2008, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to file a proper reply to the non-final Office action mailed, October 17, 2007, which set a shortened statutory period for reply of three (3) months. On April 16, 2008 a 3-month extension of time was filed, therefore the application became abandoned on April 18, 2008.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$1,620, and (3) an adequate statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to Alicia Kelley at (571) 272-6059.

This application is being referred to Technology Center 2168 for further examination on the merits.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions